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August 31, 2016

The Honorable Paul A. Engelmayer
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Filed ECF

Re: United States v. Juan Mendez
S4 15 Cr. 877 (PAE)

Dear Judge Engelmayer:

I write as counsel for Mr. Juan Mendez, a defendant in the above-referenced case.

This letter is respectfully submitted, in advance of Mr. Mendez's detention hearing on September 7, 2016, to provide the Court with information about the bail package being proffered by defendant, and about other matters relevant to the issue of bail.

I. Background

On June 23, 2016, upon his presentment before Magistrate Judge Debra C. Freeman, Mr. Mendez pleaded not guilty to the above-referenced indictment which charges him in Count One with Hobbs Act Robbery Conspiracy, in Count Five with Hobbs Act Robbery, and in Count Six with a Firearms Offense in connection with Count Five.

Mr. Mendez consented to an order of detention without prejudice to his making a future bail application.

Mr. Mendez is a lifelong resident of New York and has significant ties to New York. As set forth below, four people have unequivocally come forward and offered to act as sureties for Mr. Mendez, each confident that he will abide by any terms and conditions imposed by this Court should he be released on bond.

The indictment charges Mr. Mendez with participation in only one Hobbs Act Robbery, on February 10, 2016. Mr. Mendez denies that he knowingly participated in any robbery. Based upon the discovery materials and our independent investigation, it appears that any proof of Mr. Mendez's alleged knowing participation in the robbery rests in large part, if not entirely, upon the conveniently self serving testimony of one cooperator, [redacted] This cooperator's testimony is suspect, and the reliability and credibility of his assertions against Mr. Mendez will be vigorously contested through cross examination should this matter proceed to trial.

II. Proposed Bail Package

Mr. Mendez Proposes a Substantial Bond for Which He Proffers Multiple Financially Responsible Co-Signers

As set forth below, four people have unequivocally come forward and offered to act as sureties for Mr. Mendez, each confident that he will abide by any terms and conditions imposed by this Court should he be released on bond. Their willingness to expose themselves to potentially devastating financial consequences underscores their confidence in Mr. Mendez.

Mr. Mendez proffers the following four financially responsible co-signers of the bond. Each of the co-signers is a very close friend or relative of Mr. Mendez, and each one is a United States Citizen:

(1) Name: Cindia Capella
Relationship: Wife/Child's Mother
Age: 39
Citizenship: US Citizen
Residence: [redacted]
Employment: [redacted]
Salary: [redacted] Hr
Length of Employment: 11 Yrs.

(2) Name: Zoraida Rosario
Relationship: Niece
Age: 29
Citizenship: US Citizen
Residence: [redacted]
Employment: [redacted]
Tel# [redacted].
Salary: [redacted] Hr
Length of Employment: 1 Yr

(3) Name: Ivylee Sanabria
Relationship: Sister
Age: 28
Citizenship: Us Citizen
Residence: [redacted]
Employment: [redacted] Tel [redacted]
Salary: [redacted] Hr
Length of Employment: 6 Months

(4) Name: Gabriel Carrero
Relationship: Friend
Age: 38

Citizenship: US Citizen
Residence: [redacted]
Employment: [redacted].
Salary: [redacted] Annually
Length of Employment: 2 Yrs

Additional Conditions of Release

Mr. Mendez agrees to be subjected to the following conditions/restrictions during his pre-trial release:

1. Strict Pretrial Services supervision. Mr. Mendez also agrees to home confinement with an ankle bracelet if the Court decides this is necessary;

2. Drug testing and monitoring (as required by Pretrial Services);

3. Travel restricted to SDNY, EDNY;

4. Surrender any travel documents, and not to apply for any new travel documents;

5. No contact or associating with co-defendants except in the presence of counsel;

6. Any other conditions as the Court deems appropriate and necessary.

III. Conclusion

The substantial and restrictive bail package proposed by Mr. Mendez adequately addresses any concerns regarding risk of flight or danger to the community.

Mr. Mendez's family and friends are prepared to come before this Court where they intend to stake their financial futures on the presence of the Mr. Mendez at each and every court appearance. Each potential surety understands that they will be jointly and severally liable for the entire amount of the bond should Mr. Mendez fail to return to court. Mr. Mendez, a United States citizen, will appear in court when required to do so, comply with all the very restrictive conditions imposed by this Court and cooperate with United States Pre-Trial Services. He understands that his failure to return to court would result in the financial ruin of his family and friends and would result in additional charges being levied against him.

Accordingly, at the conclusion of the bail hearing on September 7, 2016, Mr. Mendez will respectfully request that the Court grant him bail in accordance with bail package outlined above.

Respectfully submitted,

/s/
WINSTON LEE

cc: Thomas Mackay
Assistant U.S. Attorney
(By e-mail)